

336 and 340 Jarvis Street - Proposed Designation By-Laws under Part IV, Section 29 of the Ontario Heritage Act - Consideration of Objection

Date: December 3, 2025

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: Ward 13 - Toronto Centre

SUMMARY

This report recommends that City Council affirm its decision of October 8 and 9, 2025 (Item PH24.11) stating its intention to designate the properties at 336 and 340 Jarvis Street under Part IV, Section 29 of the Ontario Heritage Act (OHA). The City has received an objection to the notice of intention to designate from the property owners within the statutory timeline.

The two properties at 336 and 340 Jarvis Street are located on the west side of Jarvis Street, mid-block between Carlton Street to the south and Sirman Lane to the north, in the Church-Wellesley neighbourhood. The properties are part of a collection of five abutting Victorian era house-form buildings, from 336 Jarvis Street to the south to 344 Jarvis Street to the north.

336 Jarvis Street was constructed in 1863 in the Georgian architectural style with later Second Empire alterations. From 1890 to 1923, it was home to the artist and educator Frederic Bell-Smith. Beyond his well-regarded artistic output, Bell-Smith was also known for co-founding the Arts and Letters Club of Toronto (1908) and serving as president of the Ontario Society of Artists from 1905 to 1908. 340 Jarvis Street was constructed c.1863 and forms one half of a present-day semi-detached house-form along with 338 Jarvis Street (designated Part IV in 2007), both designed in the Georgian style with subsequent Second Empire alterations. 340 Jarvis Street housed the John Howard Society from 1956 to the early 1960s.

The properties at 336 and 340 Jarvis Street were first recognized for their cultural heritage value when they were listed on the City's Heritage Register on June 20, 1973.

City Council has until February 8, 2026, 90 days from the date of the end of the objection period, to make a decision on this objection as per the timeline under the Act.

Staff have reviewed the objections raised by the owners and remain of the opinion that despite these objections, the property at 336 Jarvis Street meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Act under 4 of 9 criteria for its design/physical, historical/associative, and contextual values, and the property at 340 Jarvis Street meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Act under 5 of 9 criteria for its design/physical, historical/associative, and contextual values.

As the properties have cultural heritage value or interest and each meet the prescribed criteria pursuant to Part IV, Section 29 of the Ontario Heritage Act, staff are of the opinion that these properties should be designated. Designation enables City Council to review proposed alterations for the property, enforce heritage property standards and maintenance, and refuse demolition.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council affirm its decision to state its intention to designate the property at 336 Jarvis Street under Part IV, Section 29 of the Ontario Heritage Act as set out in City Council Decision Item PH24.11 on October 8 and 9, 2025.
2. City Council affirm its decision to state its intention to designate the property at 340 Jarvis Street under Part IV, Section 29 of the Ontario Heritage Act as set out in City Council Decision Item PH24.11 on October 8 and 9, 2025.
3. City Council authorize the City Solicitor to introduce the Bill in City Council designating each of the properties, 336 Jarvis Street and 340 Jarvis Street, under Part IV, Section 29 of the Ontario Heritage Act.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

At its October 8 and 9, 2025 meeting, City Council adopted a report from the Chief Planner and Executive Director, "336, 340, and 342-344 Jarvis Street - Notice of Intention to Designate Properties under Part IV, Section 29 of the Ontario Heritage Act"

(PH24.11) and stated its intention to designate the properties at 336, 340, and 342-344 Jarvis Street under Part IV, Section 29 of the Ontario Heritage Act.
<https://secure.toronto.ca/council/agenda-item.do?item=2025.PH24.11>

BACKGROUND

City Council stated its intention to designate the subject properties under Part IV, Section 29 of the Ontario Heritage Act. A Notice of Intention to Designate was served to the property owners and the Ontario Heritage Trust and was published in accordance with the Ontario Heritage Act. The objection period ended on November 10, 2025.

The City Clerk received a Notice of Objection on behalf of the property owners within the required timeframe set out in the Ontario Heritage Act. The OHA requires that City Council consider and make a decision on an objection within 90 days from the end of the objection period. City Council may decide to withdraw, amend, or affirm its intention to designate.

COMMENTS

Staff have reviewed the Notice of Objection dated October 18, 2025, prepared by Shirley Yam and Vincent Lai Shuen Yam. A copy of the Notice of Objection is included as Attachment 1 to this report. Through this letter, the owners outline several reasons for their objection that primarily focus on the future maintenance of the subject properties and their resale and redevelopment potential. In their letter, the owners do not assert that either of the properties lack cultural heritage value.

The owner also mentions their objection to the designation of an adjacent property at 338 Jarvis Street; however, this property is already designated under Part IV, Section 29 of the Ontario Heritage Act (by-law #1034-2007) and the bylaw has been in force and effect since 2007.

In their opinion, the objectors claim that designation under the Ontario Heritage Act would impede their ability to maintain the properties, increase the expenses required to improve them, and increase the uncertainty around possible resale of the properties due to the procurement of insurance, mortgages, and impediment of redevelopment opportunities. The objectors express concern that these claims may result in the devaluation of the properties.

The objectors provide no evidence to support their opinions and, more significantly, none of these claims are relevant considerations to the determination of the cultural heritage value of a property for designation. Whether a current or future planning application will conserve a heritage property is not a consideration or a determination to be made within the context of a designation by-law under Section 29 of the OHA.

The Ontario Heritage Act (or OHA) prescribes the process of designation of a property under Part IV of the OHA. The OHA also prescribes criteria under O. Reg 9/06 required to be evaluated to determine whether a property has cultural heritage value or interest and therefore should be recommended for designation under the OHA. The evaluation criteria set out in Ontario Regulation 9/06 form a test against which properties must be assessed. Zoning By-laws, Planning Act applications, municipal maintenance and occupancy by-laws, and real estate property values do not determine the cultural heritage value or interest of a heritage property, nor are they included in the criteria for the evaluation or determination of cultural heritage value.

There are currently no planning applications for either property made to the City.

Any potential future Planning Act applications are to be informed by the designation by-laws and cultural heritage value, or interest determined under the OHA such that a determination can be made whether the level of intervention and conservation proposed for a designated property is appropriate. To reach this understanding, it is necessary to first identify, evaluate, and articulate the cultural heritage value of a property prior to planning for change and considering interventions to the heritage property.

The sequential approach described above is consistent with the Standards and Guidelines for Historic Places in Canada and is also consistent with the intent of the Provincial Planning Statement (2024).

The appropriateness of proposed interventions to a heritage property within the planning process are determined through an alteration or demolition application under Section 33 and Section 34 of the OHA. Heritage permit applications can be reviewed and approved within a week, dependant on the complexity of the application and the extent of proposed alterations. Since 2024, Heritage Planning processed on average 2,000 heritage permits per year and 90% are completed in a 3 day review. If a proposed alteration also requires a building permit, the two permit systems are assessed and issued concurrently. While there may be fees connected with a building permit or planning act application, there is no additional cost for heritage permit applications.

Following review of the Notice of Objection, staff have determined that none of the objections raised in the Notice are relevant considerations to the determination of the cultural heritage value of a property for designation. A property may be designated under Section 29 of the OHA if it meets two or more of the provincial criteria prescribed under Ontario Regulation 9/06 for determining whether it is of cultural heritage value or interest. Staff remain of the opinion that the properties at 336 Jarvis Street and 340 Jarvis Street meet Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the OHA, based on their design/physical, historical/associative and contextual values.

Should Council affirm its intention to designate, the City Solicitor will introduce a designating by-law to Council under Section 29 of the OHA. Once City Council has passed a designating by-law, notice has been provided, and the by-law has been published in accordance with the OHA, an appeal may be made to the Ontario Land Tribunal in accordance with the OHA. The Ontario Land Tribunal Decision is binding.

CONCLUSION

The property at 336 Jarvis Street meets 4 of 9 criteria under Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act for its design/physical, historical/associative, and contextual values. As such, and despite the Notice of Objection, this property should be designated as set out in Council Decision PH24.11 on October 8 and 9, 2025.

The property at 340 Jarvis Street meets 5 of 9 criteria under Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act for its design/physical, historical/associative, and contextual values. As such, and despite the Notice of Objection, this property should be designated as set out in Council Decision PH24.11 on October 8 and 9, 2025.

CONTACT

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SIGNATURE

Jason Thorne
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City Planning

ATTACHMENTS

Attachment 1 - Letter of Objection - 336-338-340 Jarvis Street
Attachment 2 - Statement of Significance (Reasons for Designation) 336 Jarvis Street
Attachment 3 - Statement of Significance (Reasons for Designation) 340 Jarvis Street
Attachment 4 - Photographs

ATTACHMENT 1

LETTER OF OBJECTION: 336-338 AND 340 Jarvis Street

(Provided separately)

STATEMENT OF SIGNIFICANCE**(REASONS FOR DESIGNATION)**

The property at 336 Jarvis Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural value and meets Regulation 9/06, the provincial criteria prescribed for municipal designation.

Description

The property at 336 Jarvis Street is located on the west side of Jarvis Street, north of Carlton Street, within the Upper Jarvis neighbourhood. Constructed in 1863, the property contains a single-family dwelling that comprises the south end of a collection of five abutting Victorian era house-form buildings. 336 Jarvis Street contains a two-and-a-half storey structure with a raised parlour floor and was designed in the Georgian architectural style with subsequent alterations in the Second Empire architectural style. The subject property was constructed for single-family occupancy, however, was subsequently modified for a rooming house and later apartments.

The property was included on the Heritage Register in June 1973.

Statement of Cultural Heritage Value**Design and Physical Value**

The property at 336 Jarvis Street has design and physical value as a representative example of the Second Empire architectural style and was originally constructed in the Georgian architectural style as one unit of an eight part rowhouse, which included 326 Jarvis Street to 334 Jarvis Street (demolished), and 338 and 340 Jarvis Street to the north. The Second Empire architectural style was popular in Toronto through the 1860s and into the 1870s, and was applied to institutional and government buildings, detached villas, and rowhouses for those of moderate income, whereas the Georgian architectural style was more common for rowhouses constructed through the 1850s and 1860s. Features representative of the Second Empire architectural style include the mansard roof, and the use of classically derived ornamentation. Elements of the structure's original Georgian architectural style include the flat-headed window openings, and the splayed stone lintels.

Historical and Associative Value

The property at 336 Jarvis Street has historical and associative value due to its direct association with the artist and educator Frederic Bell-Smith, who resided at the subject property from 1890 until his death in 1923. Frederic Bell-Smith's career and reputation in Toronto was established by the time he and his family moved into the house, however it would be during his tenure at the subject property that he developed an international reputation owing to his production of a series of paintings depicting the events surrounding the death of Prime Minister Sir John Sparrow David Thompson at Windsor Castle. Bell-Smith's rare invitation to paint Queen Victoria as part of the series was a significant event and contributed to his prestige and reputation. Bell-Smith

subsequently co-found the Arts and Letters Club of Toronto (1908) and served as the president of the Ontario Society of Artists from 1905 to 1908. The lower level of 336 Jarvis Street served as his personal studio, where he hosted artists and students, and served as a gathering space for friends and admirers following his death in 1923. His personal artwork remained on display at the subject property following his death as it remained in the Bell-Smith family's ownership.

Contextual Value

Contextually, the property at 336 Jarvis Street is functionally and historically linked to the adjacent properties at 338, 340, 342 and 344 Jarvis Street, which collectively form a collection of 19th century housing on the west side of Jarvis Street north of Carlton Street. A generally consistent setback and raised parlour floors, along with a common scale, form and massing, contribute to the block frontage's historic context. Visually, the subject property at 336 Jarvis Street is linked to 19th century housing within the block frontage of Jarvis Street between Carlton Street and Maitland Street and is situated in an area with a concentration of properties built during the mid- to late Victorian period and that have been designated under Part IV of the Ontario Heritage Act.

The property at 336 Jarvis Street is important in maintaining and supporting the character of the Upper Jarvis neighbourhood, comprised of a collection of 19th century house form buildings, the former Havergal College at 354 Jarvis Street, mid-to-late 20th and early 21st century multi-unit housing. Collectively, these properties reflect the evolution of Upper Jarvis from a subdivision of private homes located on a landscaped avenue to a high-density residential and institutional arterial corridor within downtown Toronto. The subject property marks the southernmost component of this collection north of Carlton Street and contains one of the earliest extant structures within the Upper Jarvis neighbourhood.

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the cultural heritage value of the property at 336 Jarvis Street being a representative example of a house-form building designed in the Georgian architectural style with later renovations in the Second Empire style:

- The scale, form and massing of the subject property, containing a two-and-a-half storey house form building with a raised parlour floor set-back from the sidewalk
- The mansard roof, with protruding flat roofed pedimented dormer window above the entrance bay
- The yellow brick primary (east) facade with stone details
- The flat-headed window openings with splayed stone lintels
- The raised parlour floor and the partially above grade lower level, which historically provided access to the working spaces of the house

Contextual Value

The following heritage attributes contribute to the cultural heritage value of the property at 336 Jarvis Street being visually, functionally and historically linked to its surroundings and for maintaining and supporting the character of the Upper Jarvis neighbourhood:

- The placement, setback and orientation of the structure on the west side of Jarvis Street north of Carlton Street
- The two-and-a-half storey scale of the primary (east) façade

Note: the existing stairs leading to the primary entrance are not identified as heritage attributes.

**STATEMENT OF SIGNIFICANCE
(REASONS FOR DESIGNATION)**

The property at 340 Jarvis Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural value and meets Regulation 9/06, the provincial criteria prescribed for municipal designation.

Description

The property at 340 Jarvis Street is located on the west side of Jarvis Street, north of Carlton Street, within the Upper Jarvis neighbourhood. Constructed around 1863, the property contains one side of a present-day semi-detached dwelling paired with 338 Jarvis Street. It is part of a collection of five abutting Victorian era house-form buildings from 336 Jarvis Street to the south, to 344 Jarvis Street to the north. It was originally one unit of an eight part rowhouse that included 326 to 334 Jarvis Street (demolished), 336 Jarvis Street and 338 Jarvis Street. 340 Jarvis Street contains a two-and-a-half storey structure with a raised parlour floor and was designed in the Georgian architectural style with subsequent alterations in the Second Empire architectural style. The subject property was constructed for single-family occupancy, however, was subsequently modified for a rooming house and later apartments.

The property was included on the Heritage Register in June 1973.

Statement of Cultural Heritage Value**Design and Physical Value**

The property at 340 Jarvis Street has design and physical value as a representative example of the Second Empire architectural style as applied to a house-form building typology that was originally constructed in the Georgian architectural style. The Second Empire architectural style was popular in Toronto through the 1860s and into the 1870s, and was applied to institutional and government buildings, detached villas, and rowhouses for those of moderate income, whereas the Georgian architectural style was more common for rowhouses constructed through the 1850s and 1860s. Features representative of the Second Empire architectural style at 340 Jarvis Street include the mansard roof, the rounded bay windows, and the use of classically-derived ornamentation.

The property at 340 Jarvis Street displays a high degree of artistic merit through the fine detailing and features on the primary (east) facade, indicative of the Second Empire architectural style as applied to the original Georgian structure, including the mansard roof with dormer windows, raised lookout shared with 338 Jarvis Street, second story sunroom supported by slender wooden columns with brackets and Corinthian style capitals.

Historical and Associative Value

The property at 340 Jarvis Street has historical and associative value due to its direct association with the John Howard Society, which operated within the building from around 1956 until the early 1960s. The John Howard Society was established in Toronto in 1929 to provide housing and employment services to formerly incarcerated men. With a surrounding area that featured a concentration of boarding houses spanning out to the Toronto Don Jail further afield, the location of 340 Jarvis Street situated the John Howard Society within proximity of the communities it serviced, and amid related social service providers. It was in immediate proximity of the Elizabeth Fry Society, which provided similar services for former female inmates, and operated at 344 Jarvis Street from 1953 to 1956.

Contextual Value

Contextually, the property at 340 Jarvis Street is functionally and historically linked to the adjacent properties at 336, 338, 342 and 344 Jarvis Street, which collectively form a collection of 19th century housing on the west side of Jarvis Street north of Carlton Street. A generally consistent setback and raised parlour floors, along with a common scale, form and massing, contribute to the block frontage's historic context. Visually, the subject property at 340 Jarvis Street is linked to 19th century housing within the block frontage of Jarvis Street between Carlton Street and Maitland Street and is situated in an area with a concentration of properties built during the mid-to-late Victorian period and that have been designated under Part IV of the Ontario Heritage Act.

The property at 340 Jarvis Street is important in maintaining and supporting the character of the Upper Jarvis neighbourhood, comprised of a collection of 19th century house form buildings, the former Havergal College at 354 Jarvis Street, mid-to-late 20th and early 21st century multi-unit housing. Collectively, these properties reflect the evolution of Upper Jarvis from a subdivision of private homes located on a landscaped avenue to a high-density residential and institutional arterial corridor within downtown Toronto. The subject property marks the southernmost component of this collection north of Carlton Street, and contains one of the earliest extant structures within the Upper Jarvis neighbourhood

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the cultural heritage value of the property at 340 Jarvis Street being a representative example of a semi-detached house-form designed in the Georgian architectural style with later renovations in the Second Empire style:

- The scale, form and massing of the subject property, containing a two-and-a-half storey house form building with a raised parlour floor set-back from the sidewalk
- The mansard roof with patterned slate cladding, with protruding central flat roofed pedimented dormer window and elaborate hipped dormers with pediments, brackets and sunburst detailing

- The red brick primary (east) facade with buff brick details, buff brick foundation, and buff brick quoins
- The round-arched window openings with buff brick lintels and stone keystones
- The raised parlour floor and the partially above grade lower level, which historically provided access to the working spaces of the house
- The wood entrance porch with Corinthian columns, wood tracery and brackets
- The round-arched primary entrance opening with transom window
- The second storey sunroom, with semi-circular headed windows, slender engaged mullions, and ornate diagonally set tongue-and-groove cladding

Contextual Value

The following heritage attributes contribute to the cultural heritage value of the property at 340 Jarvis Street being visually, functionally and historically linked to its surroundings and for maintaining and supporting the character of the Upper Jarvis neighbourhood:

- The placement, setback and orientation of the structure on the west side of Jarvis Street north of Carlton Street
- The two-and-a-half storey scale of the primary (east) façade



Figure 1. 336 Jarvis Street (Alex Corey Heritage Consulting, 2025).



Figure 2. 338-340 Jarvis Street; 340 Jarvis Street is outlined in red (Alex Corey Heritage Consulting, 2025).